United States Department of Agriculture

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NEW MEXICO FIELD OFFICE TECHNICAL GUIDE
TRANSMITTAL NOTICE NO. 48

SUBJECT: ECS – Section II Threatened and Endangered Species - Programmatic Biological Opinion for the Working Lands for Wildlife (WLFW) - southwestern willow flycatcher and its critical habitat

Purpose: This notice transmits new guidance for insertion into the New Mexico FOTG.

Effective Date: This notice is effective when received.

Explanation:

In March of 2012, the Secretaries of Agriculture and Interior jointly announced a collaborative partnership called the Working Lands for Wildlife (WLFW); with the objective to restore populations of declining wildlife species, and to strengthen rural economies by restoring and protecting the productive capacity of working lands. As part of this mission, the WLFW partnership needed to provide landowners with *"regulatory certainty"* that the conservation investments they make today will help sustain their operations over the long term. The attached Programmatic Biological Opinion provides the framework for the U.S. Fish and Wildlife Service (Service) to be able to offer WLFW enrolled landowners a programmatic Safe Harbor (i.e. regulatory certainty). For more information, visit the Service online at *http://www.fws.gov/endangered/landowners/safe-harbor-agreements.html*

This Biological Opinion also provides NRCS's formal consultation with the Service to comply with section 7 of the Endangered Species Act of 1973; to ensure that WLFW actions will not likely jeopardize the continued existence of any federally listed species nor destroy or adversely modify critical habitat. The attached Biological Opinion covers the WLFW focus species (southwestern willow flycatcher), its critical habitat, and 68 other listed species that have the potential to occur within WLFW action areas.

- For WLFW projects, the conservation measures provided in the Biological Opinion will be required and considered additional criteria to the conservation practice standards.

NRCS New Mexico FOTG guidance can be accessed at:
FOTG Updates: http://www.nm.nrcs.usda.gov/technical/fotg/updates.html
FOTG Section II - T&E: http://www.nm.nrcs.usda.gov/technical/fotg/section-2/t-e.html

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State Resource Conservationist

Attachments:
- **Biological Opinion:** BO_WLFW_SWFL_Doc07-23-12.pdf
- **Conservation Measures (quick guide):** BO_WLFW_SWFL_Conserv.Measures.pdf